

## **REMARKS/ARGUMENTS**

The Office Action has been carefully considered. Claims 1, 11, 15, and 26 are currently amended. Claims 30-40 are new. Claims 2-6, 8-10, 12-14, 16-20, and 27-29 are canceled. Claims 1, 7, 11, 15, 21-26, and 30-40 are pending. The Office Action addressed claims 1-29 as follows.

1. Claims 11-14 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.
2. Claims 1-20, 24 and 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MacInnis's US Publication No. 2004/0066852 (hereinafter "*MacInnis* '852") and in view of MacInnis's US Publication No. 2003/0189982 (hereinafter "*MacInnis* '982").
3. Claims 21-23 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *MacInnis* '852, in view of *MacInnis* '982, and in further view of Biblil et al's US Patent No. 6,704,361 (hereinafter "*Biblil*").

### ***35 U.S.C. § 101 Rejections***

Claims 11-14 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 12-14 have been canceled, and Claim 11 has been amended to recite statutory subject matter, namely a computer readable medium containing computer executable instructions that when executed by a processor, perform the indicated method. Applicant respectfully submits that Claim 11 recites statutory subject matter.

### ***35 U.S.C. § 103(a) Rejections***

#### **Claims 1-20, 24 and 26-29**

Claims 1-20, 24 and 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *MacInnis* '852 in view of *MacInnis* '982. Claims 2-6, 8-10, 12-14, 16-20, and 27-29 are canceled. Without conceding the propriety of the rejections, Applicant respectfully submits that amended independent Claims 1, 11, 15, and 26 recite new elements that are not taught or suggested by the cited art.

For example, amended Claim 1 recites as follows:

A computer-implemented method comprising:  
decoding, by the computer, a first slice of a first frame of a video by  
performing a submethod comprising:

determining, **in accordance with a slice header of the first slice**, that the first slice has a decoding dependency on a second slice of a second frame of the video;  
determining that said second slice has not been decoded;  
suspending decoding the first slice **for a first predetermined amount of time**; then  
determining that said second slice has been decoded; and  
transforming said first slice from an encoded state to a decoded state; and  
decoding, by the computer, said second slice;  
wherein said first and second slices each comprise a plurality of macroblocks that are respectively selected from said first and second frames of the video.

Applicant respectfully submits that *MacInnis* '852 in view of *MacInnis* '982 does not teach or suggest at least “determining, **in accordance with a slice header of the first slice**, that the first slice has a decoding dependency on a second slice of a second frame of the video,” as claimed in Claim 1. As described at least in ¶ [0032] of the application as published (Pub. No. 2005/0053157), “slice header 402 may include explicit information describing a slice's decoding dependency on another slice.” Neither *MacInnis* '852 nor *MacInnis* '982, alone or in combination, teaches or suggests using a slice header to determine that a first slice has a decoding dependency on a second slice, as claimed in amended Claim 1.

In addition, Applicant respectfully submits that neither *MacInnis* '852 nor *MacInnis* '982, alone or in combination, teaches or suggests “suspending decoding the first slice **for a first predetermined amount of time**,” as claimed in amended Claim 1. *See* at least ¶ [0049] (“the period of suspension is a predetermined amount of time”). At most, *MacInnis* '982 discloses that one processor may wait until completion of another macroblock row has been decoded. *See, e.g.*, ¶ [0012]. *MacInnis* '852 is silent as to suspending decoding of a first slice. Therefore, neither *MacInnis* '852 nor *MacInnis* '982, alone or in combination, teaches or suggests “suspending decoding the first slice **for a first predetermined amount of time**,” as claimed in amended Claim 1.

For at least the reasons just discussed, Applicant respectfully submits that amended Claim 1 is allowable over *MacInnis* '852 in view of *MacInnis* '982. Independent Claims 11, 15, and 26 recite similar elements to those of Claim 1 and are allowable at least by similar reasoning. Claims 7 and 24 are allowable at least by dependency.

### Claims 21-23 and 25

Claims 21-23 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *MacInnis* '852, in view of *MacInnis* '982, and in further view of *Bibil*. Applicant respectfully submits that *Bibil*, alone or in combination with either or both *MacInnis* references, fails to remedy any of the defects in the *MacInnis* references discussed above. Accordingly, Applicant respectfully submits that Claims 21-23 and 25 are allowable at least by similar reasoning and/or by dependency.

### Claims 30-40

New Claims 30-40 recites additional subject matter that is not taught or suggested by the cited art. For example, Applicant respectfully submits that neither *MacInnis* '852 nor *MacInnis* '982, alone or in combination, teaches or suggests “suspending decoding the first slice for a **second predetermined amount of time, said second predetermined amount of time being shorter than said first predetermined amount of time,**” as claimed in Claim 30. *See* at least ¶ [0049] (“the length of each subsequent suspension is reduced by another predetermined amount”). Claims 32, 35, and 38 recite similar elements and are allowable at least by similar reasoning. In addition, Applicant respectfully submits that Claims 30-40 are allowable by dependency.

### **CONCLUSION**

For at least the reasons above, Applicants respectfully submit that all pending claims are allowable and request that the Examiner permit these claims to proceed to issuance. Although additional arguments are believed to exist for distinguishing the cited documents, the arguments presented are believed sufficient to address the Examiner's rejections. Likewise, failure of the Applicants to respond to a position taken by the Examiner is not an indication of acceptance or acquiescence of the Examiner's position. Instead, it is believed that the Examiner's positions are rendered moot by the foregoing arguments, and it is therefore not believed necessary to respond to every position taken by the Examiner with which Applicants do not agree.

The Examiner is respectfully requested to contact the undersigned at the telephone number below if there are any remaining questions regarding this application.

We believe the appropriate fees accompany this transmission. If, however, insufficient fee payment or fee overpayment occurs, the amount may be withdrawn or deposited from/to AXIOS Law Group's deposit account. The deposit account number is 50-4051.

Respectfully submitted,

AXIOS LAW GROUP

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